

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CRAIG GENESS	:	CIVIL ACTION
	:	
v.	:	NO. 16-876
	:	
COMMONWEALTH OF	:	
PENNSYLVANIA, <i>et al.</i>	:	

ORDER

AND NOW, this 3rd day of September 2019, upon considering the parties' consent Motion (ECF Doc. No. 226) to amend our June 24, 2019 Order (ECF Doc. No. 220) to allow a thirty day continuance, and following today's telephone conference with all counsel, it is **ORDERED** the parties' consent Motion (ECF Doc. No. 226) is **GRANTED in part** as to pre-trial obligations and we **amend** our June 24, 2019 Order (ECF Doc. No. 220) only:

1. All fact and expert discovery shall be served, noticed and completed by **October 31, 2019**;¹

2. Counsel for each party shall serve upon counsel for every other party the information referred to in Federal Rule of Civil Procedure 26(a)(2)(B) necessary to meet their burden of proof by expert report or answer to expert interrogatory no later than **October 4, 2019**. If the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party, counsel shall serve such rebuttal evidence on counsel for every other party no later than **October 29, 2019**. Expert depositions, if any, shall be concluded no later than **November 1, 2019**;

¹ Should *all* parties wish to extend this *discovery* deadline *without extending any other deadline*, the parties may agree to do so without seeking leave of the Court.

3. Summary judgment and *Daubert* motions, if any, shall be filed no later than **November 7, 2019**. Responses shall be filed in accord with the Local Rules and this Court's Policies and no later than **November 21, 2019**. Motions for summary judgment and responses shall fully comply with this Court's Policies;

4. No later than **December 2, 2019**, counsel for each party shall exchange a list identifying each exhibit the party expects to offer at trial along with a reference to the Bates number or other identification of the documents used in discovery;

5. No later than **December 6, 2019**, each party shall file a pretrial memorandum compliant with our Policies;

6. No later than **December 9, 2019**, each party shall file proposed jury instructions on substantive issues and proposed verdict forms or special interrogatories, with an electronic copy e-mailed in Word format to Chambers_of_Judge_Kearney@paed.uscourts.gov;

7. All motions *in limine*, proposed *voir dire* peculiar to your case, objections to proposed jury instructions and highlighted deposition designations (providing the highlighted transcript to Chambers) shall be filed on or before **December 23, 2019**. Responses and objections, including highlighted counter-designations, if any, shall be filed on or before **December 31, 2019**;

8. A final pretrial conference will be held on **January 3, 2020 at 8:45 A.M.** Counsel for Plaintiff shall initiate this call and timely call Chambers at 267-299-7680 when all counsel are on the line; and,

9. All other obligations in our June 24, 2019 Order (ECF Doc. No. 220) remain in effect.


KEARNEY, J.